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*Admitted only in Maryland
*Admitted only in Virginia
*Practice limited to
Federal Agencies

June 8, 2004

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1636

Re: U.S. Utility Patent Application
Appl. No. 10/680,316; Filed: October 8, 2003
For: **Recombinational Cloning Using Nucleic Acids Having
Recombination Sites**
Inventors: HARTLEY *et al.*
Our Ref: 0942.285000M/BJD/JKM

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fourth Supplemental Information Disclosure Statement;
2. List of cited references on Form PTO-1449 (2 sheets);
3. A copy of each reference cited on Form PTO-1449 (5 documents: AS113-AT114); and
4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
June 8, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Brian J. Del Buono", with a stylized flourish at the end.

Brian J. Del Buono
Attorney for Applicants
Registration No. 42,473

BJD/JKM:bac
Enclosures

272612_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HARTLEY *et al.*

Appl. No.: 10/680,316

Filed: October 8, 2003

For: **Recombinational Cloning Using**

Nucleic Acids Having

Recombination Sites

Confirmation No.: 3915

Art Unit: 1636

Examiner: *To Be Assigned*

Atty. Docket: 0942.285000M/BJD/JKM

Fourth Supplemental Information Disclosure Statement

Under 37 C.F.R. § 1.97(b)

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Fourth Supplemental Information Disclosure is a continuation of the numbering in Applicants' Third Supplemental Information Disclosure Statement filed on January 13, 2004 in connection with the above-captioned application. A copy of each document is provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono
Attorney for Applicants
Registration No. 42,473

Date: June 8, 2004

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Washington, D.C. 20005-3934
(202) 371-2600



FORM PTO-1449

FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENTATTY. DOCKET NO.
0942.285000M/BJD/JKM
FIRST NAMED INVENTOR
Hartley *et al.*
FILING DATE
October 8, 2003APPLICATION NO.
10/680,316
ART UNIT
1636

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

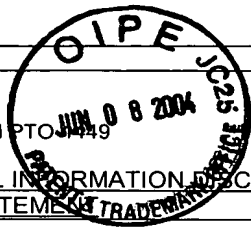
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS	113	Kuempel, P., <i>et al.</i> , Use of a transposon (Tndif) to obtain suppressing and nonsuppressing insertions of the <i>dif</i> resolvase site of <i>Escherichia coli</i> ," <i>Genes & Develop.</i> 10:1162-1171, Cold Spring Harbor Laboratory Press (May 1996)
	AT	113	Lenski, R.E., <i>et al.</i> , "Genetic Analysis of a Plasmid-Encoded, Host Genotype-Specific Enhancement of Bacterial Fitness," <i>J. Bacteriol.</i> 176:3140-3147, American Society for Microbiology (1994)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



FORM PTO-449

FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT OF TRADEMARKATTY. DOCKET NO.
0942.285000M/BJD/JKM
FIRST NAMED INVENTOR
Hartley *et al.*
FILING DATE
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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>114</u>	Shuman, S., "Novel Approach to Molecular Cloning and Polynucleotide Synthesis Using Vaccinia DNA Topoisomerase," <i>J. Biol. Chem.</i> 269:32678-32684, The American Society for Biochemistry and Molecular Biology, Inc. (1994)
	AS	<u>114</u>	Stuurman, J., <i>et al.</i> , "Single-site manipulation of tomato chromosomes <i>in vitro</i> and <i>in vivo</i> using Cre-lox site-specific recombination," <i>Plant Molec. Biol.</i> 32:901-913, Kluwer Academic Publishers (December 1996)
	AT	<u>114</u>	Zechiedrich, E.L., <i>et al.</i> , "Topoisomerases IV, not gyrase, decatenates products of site-specific recombination in <i>Escherichia coli</i> ," <i>Genes & Develop.</i> 11:2580-2592, Cold Spring Harbor Laboratory Press (October 1997)

EXAMINER

DATE CONSIDERED

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